

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK
BUFFALO DIVISION

In Re:	§	
	§	
Kim M. Garbo	§	Case No. 21-11053
	§	
Debtor	§	

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY
ADMINISTERED AND APPLICATION TO BE DISCHARGED (TDR)**

Joseph G. Frazier, TR, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: 81,075.00 (Without deducting any secured claims)	Assets Exempt: 333,863.00
Total Distributions to Claimants: 2,749.59	Claims Discharged Without Payment: 133,670.85
Total Expenses of Administration: 1,152.74	

3) Total gross receipts of \$3,902.33 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$0.00 (see **Exhibit 2**), yielded net receipts of \$3,902.33 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$92,183.00	\$0.00	\$0.00	\$0.00
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	NA	1,152.74	1,152.74	1,152.74
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	NA	NA	NA	NA
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	NA	0.00	0.00	0.00
GENERAL UNSECURED CLAIMS (from Exhibit 7)	44,276.00	22,615.44	22,615.44	2,749.59
TOTAL DISBURSEMENTS	\$136,459.00	\$23,768.18	\$23,768.18	\$3,902.33

4) This case was originally filed under chapter 7 on 10/13/2021. The case was pending for 11 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 09/13/2022 By: /s/Joseph G. Frazier, TR
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 – GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE ¹	\$ AMOUNT RECEIVED
Tax Refunds	1124-000	3,902.33
TOTAL GROSS RECEIPTS		\$3,902.33

¹The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 – FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
NA		NA	NA
TOTAL FUNDS PAID TO DEBTOR & THIRD PARTIES			\$NA

EXHIBIT 3 – SECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
	Summit Federal Credit Union, Attn: Bankruptcy Dept 100 Marina Dr Rochester, NY 14626		92,183.00	NA	NA	0.00
TOTAL SECURED CLAIMS			\$92,183.00	\$0.00	\$0.00	\$0.00

EXHIBIT 4 – CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Joseph G. Frazier	2100-000	NA	975.58	975.58	975.58
Joseph G. Frazier	2200-000	NA	2.16	2.16	2.16
Joseph G Frazier	3110-000	NA	175.00	175.00	175.00
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		\$NA	\$1,152.74	\$1,152.74	\$1,152.74

EXHIBIT 5 – PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
NA: NA	NA	NA	NA	NA	NA
TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES		\$NA	\$NA	\$NA	\$NA

EXHIBIT 6 – PRIORITY UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
			0.00	NA	NA	0.00
TOTAL PRIORITY UNSECURED CLAIMS			\$NA	\$0.00	\$0.00	\$0.00

EXHIBIT 7 – GENERAL UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
	Capital One, AttnL: Bankruptcy Po Box 30285 Salt Lake City, UT 84130		339.00	NA	NA	0.00
	Chase Card Services, Attn: Bankruptcy Po Box 15298 Wilmington, DE 19850		5,153.00	NA	NA	0.00
	Chase Card Services, Attn: Bankruptcy Po Box 15298 Wilmington, DE 19850		2,369.00	NA	NA	0.00
	Chase Card Services, Attn: Bankruptcy Po Box 15298 Wilmington, DE 19850		1,775.00	NA	NA	0.00
	Citizens Bank, One Citizens Drive Ms: Rop 15b Riverside, RI 02915		7,430.00	NA	NA	0.00
	Niagara Frontier Volleyball, 425 Meyer Road Buffalo, NY 14224		1,300.00	NA	NA	0.00
	Portfolio Recovery Associates, LLC, Attn: Bankruptcy 120 Corporate Boulevard Norfolk, VA 23502		340.00	NA	NA	0.00

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
	Security Credit Systems, Inc., 100 River Rock Drive Suite 200 Buffalo, NY 14207		1,410.00	NA	NA	0.00
	Target, c/o Financial & Retail Services Mailstop BT PO Box 9475 Minneapolis, MN 55440		1,392.00	NA	NA	0.00
	X-Cell Laboratories of WNY, Inc., PO Box 8000 Dept. 586 Buffalo, NY 14267		114.00	NA	NA	0.00
4	Citibank, N.A.	7100-000	4,854.00	4,854.05	4,854.05	590.16
2	Department Stores National Bank	7100-000	511.00	511.00	511.00	62.13
3	Kohl's	7100-000	1,438.00	1,438.16	1,438.16	174.85
5	Portfolio Recovery Associates, Llc	7100-000	5,763.00	5,724.24	5,724.24	695.95
6	Portfolio Recovery Associates, Llc	7100-000	10,088.00	10,087.99	10,087.99	1,226.50
TOTAL GENERAL UNSECURED CLAIMS			\$44,276.00	\$22,615.44	\$22,615.44	\$2,749.59

FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES

Exhibit 8

Case No: 21-11053 CLB Judge: Carl L. Bucki Trustee Name: Joseph G. Frazier, TR
Case Name: Kim M. Garbo Date Filed (f) or Converted (c): 10/13/2021 (f)
341(a) Meeting Date: 11/17/2021
For Period Ending: 09/13/2022 Claims Bar Date: 02/22/2022

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Est Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. 99 Ilion Street Tonawanda Ny 14150-0000 Erie	170,000.00	80,025.00		0.00	FA
2. 2007 Chevrolet Trailblazer Mileage: 205000 Ex-Spouse On Title Debtor Entitled To 100% Ownership Ls 4Wd In Bad Condition. 4Wd Doesn't Work. Needs Significant Work Nada Rough Trade-In	1,200.00	0.00		0.00	FA
3. 2002 Aero Pop-Up Camper	800.00	800.00		0.00	FA
4. Basic Household Furnishings	4,000.00	0.00		0.00	FA
5. Television, Cell Phone, Laptop	1,000.00	0.00		0.00	FA
6. Treadmill	50.00	50.00		0.00	FA
7. 1 Smith & Wesson Ez Slide 380 Pistol	200.00	200.00		0.00	FA
8. Clothing	500.00	0.00		0.00	FA
9. Engagement Ring, Wedding Band	900.00	0.00		0.00	FA
10. Keybank	45.00	0.00		0.00	FA
11. Summit Fcu	358.00	0.00		0.00	FA
12. Xlem	233,400.00	0.00		0.00	FA
13. Mony Life Insurance Company Whole Life \$6785 Value With \$4300 Loan	2,485.00	0.00		0.00	FA
14. Pro-rated 2021 tax refunds (u)	Unknown	3,902.33		0.00	3,902.33

			Gross Value of Remaining Assets	
TOTALS (Excluding Unknown Values)	\$414,938.00	\$84,977.33	\$0.00	\$3,902.33
			(Total Dollar Amount in Column 6)	

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Case Summary and Chronology to Date:

A voluntary chapter 7 case was filed on October 13, 2021. The section 341(a) meeting was conducted on November 17, 2021. On November 18, 2021, the trustee filed a request for a claims bar date. The last day for creditors to file claims expired on February 22, 2022. Unsecured claims totaling \$22,615.44 have been filed. No claim objections were filed.

Exhibit 8

The trustee has investigated the nature and extent of the debtor's interests in pro-rated 2021 state and federal income tax returns. Returns were received by trustee in March 2022, and demand for the pro-rated non-exempt portion was made to debtor's counsel on April 7, 2022. The debtor remitted the demanded sum on May 3, 2022.

Initial Projected Date of Final Report (TFR): 06/01/2022

Current Projected Date of Final Report (TFR): 06/01/2022

FORM 2
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 21-11053
Case Name: Kim M. Garbo

Trustee Name: Joseph G. Frazier, TR
Bank Name: Axos Bank
Account Number/CD#: XXXXXX0069
Checking

Exhibit 9

Taxpayer ID No: XX-XXX8878
For Period Ending: 09/13/2022

Blanket Bond (per case limit): \$6,334,086.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account/CD Balance (\$)
05/03/22		Kim M. Garbo 99 Ilion St. Tonawanda, NY 14150	tax refund	1124-000	\$3,902.33		\$3,902.33
08/10/22	101	Department Stores National Bank C/O Quantum3 Group Llc Po Box 657 Kirkland, Wa 98083-0657	Distribution Claim #2	7100-000		\$62.13	\$3,840.20
08/10/22	102	Kohl's Peritus Portfolio Services Li, Llc Po Box 141509 Irving, Tx 75014	Distribution Claim #3	7100-000		\$174.85	\$3,665.35
08/10/22	103	Citibank, N.A. 5800 S Corporate Pl Sioux Falls, Sd 57108-5027	Distribution Claim #4	7100-000		\$590.16	\$3,075.19
08/10/22	104	Portfolio Recovery Associates, Llc POB 41067 Norfolk Va 23541	Distribution Claim #5	7100-000		\$695.95	\$2,379.24
08/10/22	105	Portfolio Recovery Associates, Llc POB 41067 Norfolk Va 23541	Distribution Claim #6	7100-000		\$1,226.50	\$1,152.74
08/10/22	106	Joseph G. Frazier 280 East Ave Lockport, NY 14094	Distribution Trustee Fees	2100-000		\$975.58	\$177.16
08/10/22	107	Joseph G. Frazier 280 East Ave Lockport, NY 14094	Distribution Trustee Expenses	2200-000		\$2.16	\$175.00
08/10/22	108	Joseph G. Frazier 280 East Ave Lockport, NY 14094	Distribution Attorney for Trustee Fees	3110-000		\$175.00	\$0.00

COLUMN TOTALS	\$3,902.33	\$3,902.33
Less: Bank Transfers/CD's	\$0.00	\$0.00
Subtotal	\$3,902.33	\$3,902.33
Less: Payments to Debtors	\$0.00	\$0.00
Net	\$3,902.33	\$3,902.33

Exhibit 9

TOTAL OF ALL ACCOUNTS			
	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
XXXXXX0069 - Checking	\$3,902.33	\$3,902.33	\$0.00
	\$3,902.33	\$3,902.33	\$0.00
	(Excludes account transfers)	(Excludes payments to debtors)	Total Funds on Hand
Total Allocation Receipts:	\$0.00		
Total Net Deposits:	\$3,902.33		
Total Gross Receipts:	\$3,902.33		